



PARKS AND RECREATION

COMMISSION AGENDA REPORT

MEETING DATE: SEPTEMBER 25, 2014

ITEM NUMBER:

SUBJECT: TREE REMOVAL REQUEST - 2016 ARNOLD STREET

DATE: SEPTEMBER 10, 2014

FROM: PUBLIC SERVICES DEPARTMENT, MAINTENANCE SERVICES DIVISION

PRESENTATION BY: BRUCE A. HARTLEY, MAINTENANCE SERVICES MANAGER

FOR FURTHER INFORMATION CONTACT: BRUCE A. HARTLEY (714) 754-5123

RECOMMENDATION

Deny the request for the City to remove one tree located on private property immediately adjacent to the public right-of-way at 2016 Arnold Street.

BACKGROUND

The Maintenance Services Division was contacted in November 2009 by the property owner (Applicant) of 2016 Arnold Street regarding two trees growing in front of and to the side of the property. It is a corner property located at the intersection of Arnold and Cove Streets. The Applicant was experiencing sewer line blockages. At that time, the tree in front of the home was not approved for removal. Available records did not provide sufficient detail to determine what supported that decision.

In October 2012, the Applicant reported that the tree was declining and was concerned that it might fail. Additionally, the Applicant was continuing to experience problems with the sewer lateral. Subsequent video inspection verified tree roots in the sewer line attributable to the City tree growing in front of the house (Tree F-1). The tree was removed at City expense on November 19, 2012.

On July 10, 2014 the Applicant contacted the Maintenance Services Division stating that tree roots from a City tree growing on the side of their property was causing damage to the street and private property. The Interim City Arborist inspected the location on July 14, 2014. He determined the tree (S-1), that was the source of the complaint, was growing on the side of the property along the Cove Street frontage. The tree, a Shamel Ash, *Fraxinus uhdei*, was approximately forty feet (40') in height and thirty-eight inches (38") in diameter. It appeared to be healthy and disease free, with no observable hazards. The Interim Arborist observed the roots of the tree growing near the surface affecting a wood fence and potentially the foundation of the home, which was the concern the Applicant expressed during the evaluation.

ANALYSIS

The Interim Arborist was of the opinion that the tree was growing on private property outside of the public right-of-way. He contacted the City's Engineering Division to seek

confirmation of the right-of-way width at that location. It was determined from the Street Improvement Plans (See Attachment 1) that the edge of the public right-of-way at that location is ten feet (10') from the curb face. There is a five foot (5') wide sidewalk immediately curb adjacent. The trunk of the tree, which is thirty-eight inches (38") in diameter, is approximately nine feet six inches (9'6") away from the curb face, with the center of the tree (typically used to determine where the tree was actually planted), well outside of the public right-of-way. The Interim Arborist reviewed the information in the field with the Maintenance Services Manager and the Applicant, explaining that the tree was originally planted on private property and that just because the diameter of the tree has increased over time and now encroaches into the right-of-way, it does not become the responsibility of the City. The Applicant was informed they could make decisions on the maintenance of the tree; the City would not be performing any maintenance on the tree or having it removed. The Applicant pointed out that the City had trimmed the tree in the past, indicating that it was indeed a City tree.

A review of available maintenance records show that the tree was root pruned when the sidewalk was replaced on October 2000. It was trimmed in May of 2005, but then not trimmed at the next scheduled trimming of that area in April of 2008 when the City's maintenance tracking inventory shows the tree as 'Not City Maintained'. There have been two more trimming cycles in that neighborhood since that change, with the tree not being trimmed. The sidewalk is in good condition, with no cracks, uplifting or displaced panels observed. Significant damage to the roadway asphalt was observed adjacent to the tree. Subsequent excavation revealed roots, which were removed prior to repairing the asphalt. That work was completed within the past thirty days. See Attachment 2.

The Applicant stated that the City owns the tree because the City maintained the tree. It was explained at great length that the City mistakenly trimmed the tree once and that does not compel the City to take ownership of the tree. The Applicant requested additional meetings with the Public Services Director and the City Engineer. At that field meeting, it was explained by Ernesto Munoz, Public Services Director that the public property at this location stops before the tree. The Applicant submitted a Public Records Request to the City Clerk and received copies of all available records for this location and street improvement plans, detailing the construction limits of the roadway and sidewalk improvements. The improvement plans were explained to the Applicant by the City Engineer, with the ten foot right-of-way as shown on the plans, pointed out to the Applicant.

The Applicant was not satisfied with the outcome of the meetings and contacted the Office of the City's Chief Executive Officer requesting additional assistance. The request for the removal of the tree was agendized for the Parks and Recreation Commission's consideration at the direction of the CEO.

The Applicant has been notified of the Parks and Recreation Commission meeting and has been sent a copy of this staff report.

ALTERNATIVES CONSIDERED

The Commission could authorize the removal of the tree as a Category 3 – Discretionary Removal, with the Applicant paying the cost for removal and the 3:1 replacement costs. One 24" box-size tree and two 15 gallon size trees would be planted elsewhere on public property. However, this action could establish a precedence of

utilizing public resources to remove a tree growing on private property and is not recommended.

FISCAL REVIEW

There would be no fiscal impact to the City if the request to remove the tree were either denied or approved as a Category 3 - Discretionary Removal, as the Applicant would pay all costs.

If approved as a Discretionary Removal, where the Applicant pays the removal and replacement costs, the cost for removing the tree would be \$760. The cost for the required three-to-one replacement (mitigation) trees would be \$425; for a total cost of \$1,185. Costs are based on current City contract prices.

LEGAL REVIEW

No legal review is required for this item.

CONCLUSION

The tree that is being requested to be removed is located on private property adjacent to the public right-of-way at 2016 Arnold Street. The Applicant is requesting removal of the tree due to alleged damage to private property being caused by the roots of the tree. Public Records document that the tree is growing on the private property of the Applicant and that the City has no responsibility for the care and maintenance of the tree. It is therefore recommended that the Commission deny the request to have the City remove the tree.

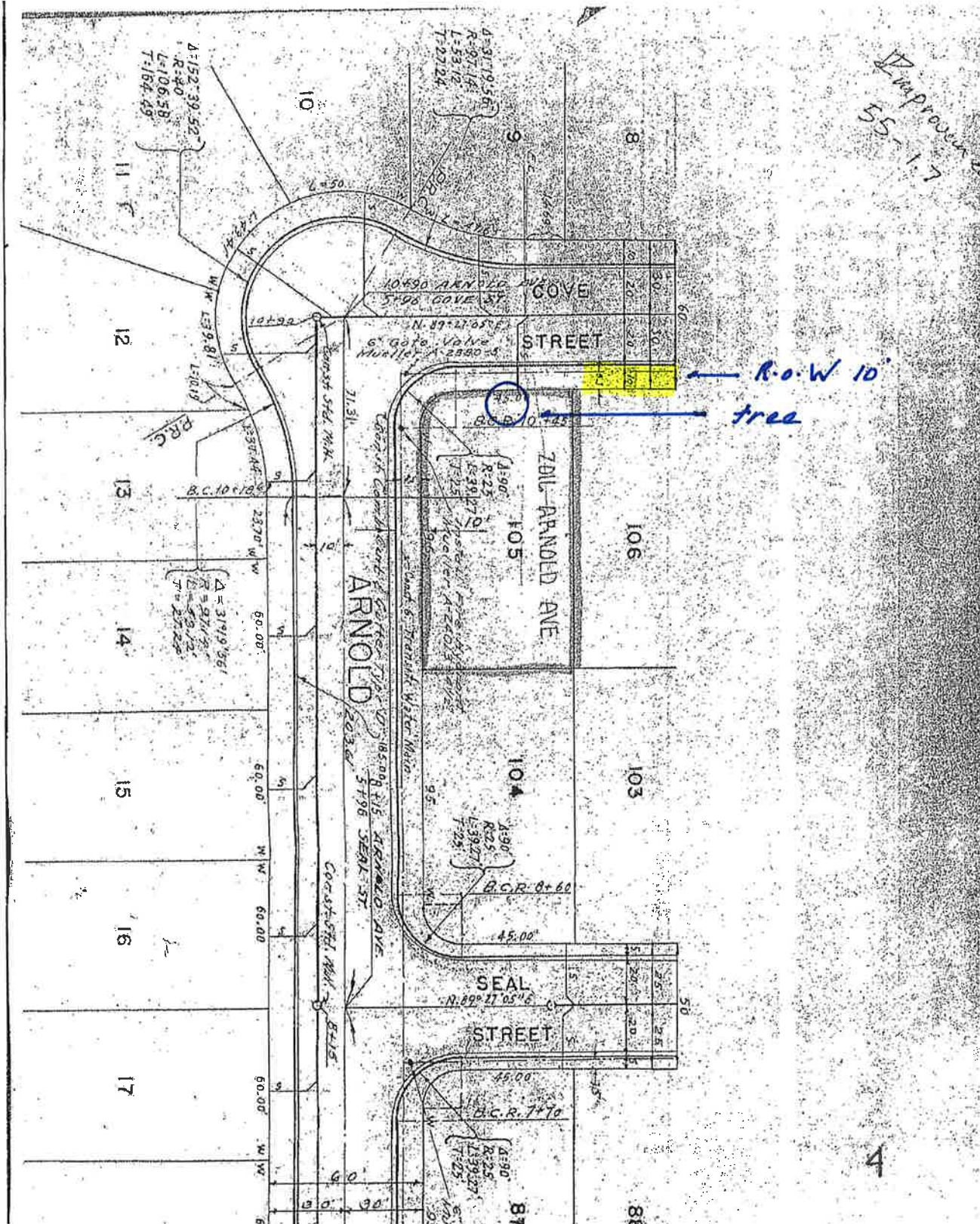

BRUCE A. HARTLEY
Maintenance Services Manager


ERNESTO MUNOZ
Public Services Director

ATTACHMENTS: 1. Exhibit – Street Improvement Plan
2. Costa Maintenance Work Orders
3. Photographs


C: Tracey Dorame
2016 Arnold Street
Costa Mesa, CA 92627

Proposed
55-1.7



City of Costa Mesa - ArborAccess Online**Inventory History Report****Date Range: 1/1/1990 - 7/21/2014****Work Type: All****Total Records: 9**

| STREET ADDRESS | SIDE | BOTANICAL NAME | WORK TYPE | DATE COMPLETE |
|----------------|---------|-----------------------------|-------------------------------|---------------|
| 2016 ARNOLD AV | FRONT-1 | Fraxinus uhdei | Tree & Stump Removal > 12 DSH | 11/19/2012 |
| 2016 ARNOLD AV | FRONT-1 | Fraxinus uhdei | Grid Pruning | 4/18/2012 |
| 2016 ARNOLD AV | FRONT-1 | Fraxinus uhdei | Grid Pruning | 4/21/2008 |
| 2016 ARNOLD AV | FRONT-1 | Fraxinus spp. | Grid Pruning | 5/18/2005 |
| 2016 ARNOLD AV | FRONT-1 | Fraxinus velutina | Grid Trimming | 10/10/2001 |
| 2016 ARNOLD AV | FRONT-5 | Fraxinus uhdei | Rt Prune & 12" RB Instal. | 10/26/2000 |
| 2016 ARNOLD AV | SIDE-1 | Not City Planted/Maintained | Not City Maintained | 4/21/2008 |
| 2016 ARNOLD AV | SIDE-1 | Fraxinus spp. | Grid Pruning | 5/18/2005 |
| 2016 ARNOLD AV | SIDE-1 | Fraxinus uhdei | Rt Prune & 12" RB Instal. | 10/26/2000 |



WCA

Site on 1 list

[Edit Tree Site](#) -
 [Insert History](#) -
 [Calls](#) -
 [Street View](#) -
 [Photo Album](#) -
 [Notes](#)

Site Detail (33.647496743954,-117.92666211272)

Select a list

[Create a list](#) - [Add site to list](#)

| District | Address | Location | Species | DBH | Height |
|-------------|----------------|------------------|-----------------|--------------|--------------|
| 22 | 2016 ARNOLD AV | Front-1 | Vacant site | --- | --- |
| VACANT SITE | | | | | |
| Condition | Maintenance | Removal Priority | Estimated Value | Parkway Type | Parkway Size |
| Fair | Plant | N/A | None | Curb/Gutter | 99 |
| Utility | | | | | |
| No | Yes | | | | |

[Prev](#)
[Next](#)

Work History

| Crew | Work Date | Work Type | Job #/Acct # | Amount |
|------|------------|-------------------------------|--------------|----------|
| WCA | 11/19/2012 | Tree & Stump Removal > 12 DBH | 22986 | \$440.00 |
| WCA | 4/18/2012 | Grid Pruning | 19252 | \$46.60 |
| WCA | 4/21/2008 | Grid Pruning | 11049 | \$45.10 |
| WCA | 5/18/2005 | Grid Pruning | 7329 | \$41.50 |
| WCA | 10/10/2001 | Grid Trimming | 4219 | \$41.50 |

Subject:

Roots in sewer; having plumbing problems.

Detailed description:

Roots in sewer, having plumbing problems. Will provide video.

Req'd date:

2009-11-09

Req'd by:

Jon & Tracey Dorame

Location:

2016 Arnold

Phone:

[REDACTED]

Work Order Nr:

09111675

District:

22

Supervisor:

Dean Rodia

Employee:

Rodia, Dean

Call back needed:

Y

Contacted date:

2009-11-24

OSHA safety concern:

N

Status:

Closed

Completion date:

2009-11-24

Inspection date:

2009-11-09

Hours:

2 Minutes: 50

Material cost:

0.00

Action taken:

Two Ash trees. One in front (22" DBH) and one on side (36" DBH). Received a DVD and a N/C invoice today for review. Met on site on 11/24/09 to discuss trees. Tree in front will be monitored for recovery. Tree on side is ok at this time.

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Subject:

Tree is declining, concerned it will fall; major sewer issues.

Detailed description:

Tree is declining, concerned it will fall. Also still has major sewer issues; Sanitary District is on site now evaluating sewer and states that the tree is the cause of her sewer issues. See previous work order dated 11/09/09.

Req'd date:

2012-10-10 (Request entered by: MStueve)

Req'd by:

Tracey Dorame

Location:

2016 Arnold

Phone:

949-441-6000

Work Order Nr:

12101820

District:

22

Supervisor:

City Arborist

Employee:

Dominguez, Dan

Call back needed:

Y

Contacted date:

2012-10-10

OSHA safety concern:

N

Status:

Closed

Completion date:

2012-11-21

Inspection date:

2012-10-10

Hours:

0 Minutes: 25

Material cost:

0.00

Action taken:

10/10/2012 F1 Fraxinus velutina in poor condition. Canopy over thinned by trimming operations. Deadwood in canopy. Leaves have marginal tip burn due to drought conditions. Resident doesn't water the landscape. No hardscape damage. Reviewed video showing root intrusion 10' from the base of the tree in the street. Removal approved by BH. 22"dsh. No replacement, no longer a valid site. WCA Inc. DD 11/20/2012 Verified work completed. DD

Subject:

tree roots

Detailed description:

Tree roots lifting streets

Req'd date:

2014-09-08 (Request entered by: Juan)

Req'd by:

Juan Santos

Location:

Arnold/Cove

Phone:

Work Order Nr:

14091525

District:

0

Supervisor:

Street Section

Employee:

Santos, Juan

Call back needed:

N

Contacted date:

2014-08-07

OSHA safety concern:

N

Status:

Closed

Completion date:

2014-08-07

Inspection date:

2014-08-07

Hours:

4 Minutes: 0

Material cost:

0.00

Action taken:

Saw cut asphalt, removed asphalt and raised roots at the above location, back filled with 3/4 in rock. Repaved with hot asphalt. Size of the dig out was 8'x10'

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